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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 003586

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SUBJECT: KING CELEBRATIONS FINISH; RETURN TO POLITICS AS USUAL

REF: 05 BANGKOK 07197

Classified By: Political Counselor Susan M. Sutton, reason 1.4 (b) (d)

1. (C) SUMMARY: The three remaining Election Commissioners face continued pressure to step down. If, as appears likely, they are finally forced out, it should take a minimum of several weeks to replace them. Several sources have speculated that the elections are therefore unlikely to take place in October, and could slip even into early next year. In the latest addition to the growing array of lawsuits, PM Thaksin has sued the Democrat Party for calling him a "blood-sucking demon;" he sued several newspapers as well for publishing the slur. End summary.

ELECTIONS DELAYED FURTHER?

2. (C) Several sources are predicting that elections will not be held in October, as proposed by the current (embattled) Election Commission. If the remaining three Election Commissioners are forced to resign, it could take several weeks, at least, to replace them. The current presumption is that one of the high courts would function as a nominating committee, to prepare a list of qualified candidates. The "old" Senate (which is still on the payroll, until all 200 "new" Senate members are approved by the EC) would then elect the 5 winners. Even if accelerated, this process will take some time, at least several weeks. One source (a former TRT MP who has left the party) expects the vote to be delayed until January.

3. (C) Even TRT may be edging away from the vilified Election Commissioners. Minister to the PM's Office Suranand Vejajiva told the press on June 14 that the commissioners should consider resigning, in order to promote greater public harmony. He also noted that the elections might be delayed beyond the proposed October 15 date, but the important thing was for the elections to be fair and reflect the will of the people. At a dinner with the Ambassador on June 14, the Health Minister (a TRT member) predicted that the Election Commissioners would have to step down. The Minister also predicted that Thaksin would not return as PM in the new government, whenever that was finally formed.

LAWSUIT ROUND-UP

4 (C) With the celebrations of the King's 60th anniversary over, it's time for Thai politicians to return to the national pastime of filing complaints against each other. Caretaker Prime Minister Thaksin filed a lawsuit with the Criminal Court against the Democrat Party for defamation and three Thai language newspapers (Matichon, Khao Sod and Daily News) for publishing the Democrats' accusations. (The Democrats accused the PM of being a "blood-sucking demon." We note that this is the second time that Thaksin has sued someone for calling him a demon - reftel.) Thaksin is seeking 800 million Baht (usdols 21 million) in damages.

5. (C) 20 "caretaker" senators prepared a petition urging the Constitutional court to remove Thaksin from office. They repeat an argument making the rounds recently, that Thaksin's premiership expired when he took his leave of absence after the elections. They argue that his statements and actions at that time (such as his dramatic and televised clearing out of all his personal effects from his office) demonstrated an "intention to resign." It appears that the petition will have to be forwarded to the Court through caretaker Senate speaker Suchon, however, who is a TRT ally and may find a way to block it. Based on the press reports, the arguments appear weak, but the case is another headache for the PM to handle.

16. (C) Democrat Party leader Abhisit and SecGen Sutheep faced questioning by the EC on June 14. In May, TRT filed a complaint with the EC accusing the Democrats of trying to overthrow democracy by: calling for the King to appoint a PM under Article 7; boycotting the elections; and campaigning for a "no" vote. TRT also alleged the Democrats hired microparties to "frame" TRT (itself accused of paying off several microparties to run in the election so TRT could avoid the 20 percent minimum vote requirement for unopposed parties.) So far, there is no sign that TRT or the EC has

any evidence to support the contention that the Democrats hired the microparties, a charge that would be damaging, if true. The other allegations do not appear to pose a significant threat to the Democrats.

BOYCE